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March 1, 2024

VIA ECF

The Honorable Lorna G. Schofield
United States District Court for the Southern District of New York
500 Pearl Street
New York, NY 10007

Re: Harrington Global Opportunity Fund, Ltd. v. BofA Securities, Inc., No. 21-CV-761

Dear Judge Schofield:

We write on behalf of Plaintiff Harrington Global Opportunity Fund, Limited (“Harrington”). On February 1, 2024, the Court adjourned the discovery deadline in this matter to May 10, 2024. ECF No. 189 at 2. The same day, the Court issued the Fourth Amended Civil Case Management Plan and Scheduling Order (the “Order”). ECF No. 188.

In the Order, the Court wrote that “[n]either party shall serve upon each other any additional Requests for Production, Interrogatories, or Requests for Admission.” Harrington does not read this to encompass third-party discovery. Out of caution, Harrington writes to respectfully request the Court’s clarification before serving third-party subpoenas at this time. In light of Defendants’ recent and ongoing discovery productions, it has become apparent third-party discovery may be key in respect of certain issues in this case. If the Court did intend to foreclose any further third-party discovery, Harrington intends to proceed by way of a motion for leave to take such discovery.

Respectfully submitted,

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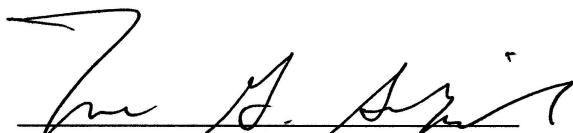
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The parties may engage in third-party discovery.
So Ordered.

Dated: March 4, 2024
New York, New York



LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE

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